

Message Text

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ACTION ARA-14

INFO OCT-01 ISO-00 CIAE-00 INR-10 NSAE-00 L-03 EB-08
TRSE-00 SS-15 SP-02 PM-05 DODE-00 NSCE-00 SSO-00
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O 302003Z AUG 78
FM AMEMBASSY PORT OF SPAIN
TO SECSTATE WASHDC IMMEDIATE 2891

C O N F I D E N T I A L SECTION 01 OF 02 PORT OF SPAIN 02526

E.O. 11652: GDS
TAGS: MARR, TD, US
SUBJECT: OMEGA TRINIDAD NEGOTIATIONS

REF: STATE 220349

1. MCINTYRE'S APPROACH APPEARS FROM THIS VANTAGE POINT A BIT WIERD. IF HE HAS BEEN PROVIDED WITH GOTT-PROPOSED ALTERNATIVE LANGUAGE, WHY DIDN'T HE PRESENT IT AT THE MONDAY MEETING? WE DOUBT THAT MCINTYRE EITHER HAS OR WILL BE GIVEN ANY REAL NEGOTIATING AUTHORITY. HIS FUNCTION IS NOT LIKELY TO EXCEED THAT OF POSTMAN, WHICH--IF THE NEGOTIATIONS ARE NOT CONCLUDED ON THE BASIS OF THE TEXT OR WHATEVER ELSE HE MAY HAVE TO OFFER ON FRIDAY OR SHORTLY THEREAFTER--WOULD ONLY SERVE TO DELAY AND PROBABLY COMPLICATE THE NEGOTIATING PROCESS.

2. EMBASSY FULLY AGREES THAT IT IS UNQUESTIONABLY ADVISABLE TO TAKE ADVANTAGE OF AMBASSADOR FOX'S PRESENCE IN WASHINGTON TO CONSIDER AND MAKE DECISIONS REGARDING WHATEVER THE GOTT WILL SOON COME UP WITH. HOWEVER, IF THE SUBSTANCE OF THE NEGOTIATIONS CANNOT BE COMPLETED BEFORE AMBASSADOR FOX RETURNS TO PORT OF SPAIN, WE CONSIDER IT IMPERATIVE TO SHIFT THE NEGOTIATIONS BACK TO THE POST SO THAT AMBASSADOR FOX CAN DEAL DIRECTLY WITH THIS GOVERNMENT.
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IT WILL BE NO EASIER OR HARDER TO CONTAIN MEDIA REACTION TO AN AGREEMENT WHETHER THE NEGOTIATIONS TAKE PLACE IN WASHINGTON OR HERE--THERE HAVE BEEN NO LEAKS OF OUR PREVIOUS CALLS AT THE FOREIGN MINISTRY ON THIS MATTER.

3. THE TEXT YOU REQUESTED OF THE LATEST PROPOSED AGREEMENT SUBMITTED TO THE GOTT IS AS FOLLOWS:

(BEGIN TEXT) THE EMBASSY OF THE UNITED STATES OF AMERICA PRESENTS ITS COMPLIMENTS TO THE MINISTRY OF EXTERNAL AFFAIRS OF TRINIDAD AND TOBAGO AND HAS THE HONOR TO REFER TO RECENT DISCUSSIONS BETWEEN REPRESENTATIVES OF OUR TWO GOVERNMENTS CONCERNING THE EXISTING OMEGA NAVIGATIONAL STATION AT CHAGUARAMAS, HEREINAFTER REFERRED TO AS THE "STATION," AND TO PROPOSE THAT A BILATERAL AGREEMENT BE CONCLUDED BETWEEN OUR TWO GOVERNMENTS TO PROVIDE FOR JOINT OPERATION OF THE STATION UNTIL DECEMBER 31, 1980. THE STATION IS A TEMPORARY, LOW-POWER FACILITY ESTABLISHED AS PART OF A WORLDWIDE SYSTEM CAPABLE OF BEING USED BY ANY PROPERLY-EQUIPPED SHIP OR AIRCRAFT FOR THE PURPOSE OF IMPROVING THE NAVIGATIONAL EFFICIENCY OF MARINERS AND AVIATORS OF ALL NATIONS. ACCORDINGLY, THE EMBASSY HAS THE FURTHER HONOR TO PROPOSE THAT THE STATION BE OPERATED BY AGREEMENT BETWEEN OUR TWO GOVERNMENTS IN ACCORDANCE WITH THE FOLLOWING PROVISIONS:

(1) THE GOVERNMENT OF TRINIDAD AND TOBAGO SHALL MAKE AVAILABLE TO THE UNITED STATES GOVERNMENT, WITHOUT CHARGE, THE LAND NECESSARY FOR CONTINUED OPERATION OF THE STATION.

(2) THE UNITED STATES GOVERNMENT SHALL, AT ITS OWN EXPENSE, OPERATE AND MAINTAIN THE STATION AS NECESSARY FOR ITS PROPER UTILIZATION IN THE WORLDWIDE OMEGA NAVIGATIONAL SYSTEM.
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THIS SHALL INCLUDE THE RIGHT DURING THE PERIOD OF STATION OPERATION, TO REPLACE OR REMOVE, FREE OF ANY RESTRICTIONS, ANY ELECTRONICS, COMMUNICATIONS OR ANTENNA EQUIPMENT.

(3) THE GOVERNMENT OF TRINIDAD AND TOBAGO SHALL PARTICIPATE IN THE MANAGEMENT AND OPERATION OF THE STATION AS AGREED BY THE TWO GOVERNMENTS.

(4) THE GOVERNMENTS OF TRINIDAD AND TOBAGO AND THE UNITED STATES SHALL USE THEIR BEST ENDEAVORS TO ENSURE THE CONTINUOUS OPERATION OF THE STATION IN PHASE WITH THE WORLDWIDE OMEGA SYSTEM AND AGREE TO CONSULT URGENTLY IF AN EMERGENCY SITUATION SHOULD REQUIRE STATION OPERATIONS TO BE CEASED TEMPORARILY.

(5) THE GOVERNMENT OF THE UNITED STATES MAY DISESTABLISH THE STATION AT ANY TIME UPON SIX (6) MONTHS PRIOR NOTIFICATION TO THE GOVERNMENT OF TRINIDAD AND TOBAGO.

(6) THE UNITED STATES GOVERNMENT SHALL NOT REMOVE OR DEMOLISH OR OTHERWISE DISPOSE OF ANY BUILDINGS OR STRUCTURES CURRENTLY IN USE FOR STATION OPERATIONS WITHOUT THE EXPRESS

PERMISSION OF THE GOVERNMENT OF TRINIDAD AND TOBAGO.

(7) OMEGA SIGNALS FROM THE STATION SHALL BE USED ONLY FOR NAVIGATION, RESEARCH AND RESCUE, TIME DISSEMINATION AND OTHER PEACEFUL PURPOSES AS AGREED BY BOTH GOVERNMENTS.

(8) DURING THE CURRENCY OF THIS AGREEMENT AND FOR A REASONABLE PERIOD THEREAFTER, THE UNITED STATES GOVERNMENT AND ITS CONTRACTORS MAY IMPORT INTO OR REMOVE FROM TRINIDAD AND TOBAGO FREE FROM CUSTOMS, DUTIES AND TAXES:

(A) ALL MATERIALS, PARTS, EQUIPMENT AND OTHER SUPPLIES

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FOR THE USE OF UNITED STATES CONTRACTORS IN CONNECTION WITH THE OPERATION, MAINTENANCE OR DISESTABLISHMENT OF THE STATION;

(B) PERSONAL EFFECTS AND HOUSEHOLD GOODS, INCLUDING PRIVATELY-OWNED AUTOMOBILES, IMPORTED BY UNITED STATES CONTRACTORS AND CONTRACTOR PERSONNEL ON FIRST ARRIVAL IN TRINIDAD AND TOBAGO OR WITHIN SIX MONTHS THEREAFTER.

(9) WHERE THE LEGAL INCIDENCE OF ANY FORM OF TAXATION IN TRINIDAD AND TOBAGO DEPENDS UPON RESIDENCE OR DOMICILE, PERIODS DURING WHICH UNITED STATES CONTRACTORS OR CONTRACTOR PERSONNEL ARE IN TRINIDAD AND TOBAGO SOLELY BY REASON OF THIS AGREEMENT SHALL NOT BE CONSIDERED AS PERIODS OF RESIDENCE (OR AS CREATING A CHANGE OF RESIDENCE OR DOMICILE) FOR THE PURPOSES OF TAXATION. UNITED STATES CONTRACTORS OR CONTRACTOR PERSONNEL SHALL BE EXEMPT FROM TAXATION IN TRINIDAD AND TOBAGO ON THE SALARY AND

EMOLUMENTS RECEIVED BY THEM AS SUCH, OR ANY TANGIBLE MOVABLE PROPERTY WITHIN THE AREA PROVIDED FOR USE OF THE STATION AND ON THE OWNERSHIP OF SUCH PROPERTY OUTSIDE THE STATION WHICH IS IN TRINIDAD AND TOBAGO SOLELY BY REASON OF THIS AGREEMENT.

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(10) THE UNITED STATES GOVERNMENT AND ITS CONTRACTORS MAY USE THE PUBLIC SERVICES AND FACILITIES BELONGING TO OR CONTROLLED BY THE GOVERNMENT OF TRINIDAD AND TOBAGO. THE TERMS OR USE, INCLUDING CHARGES, SHALL BE NO LESS FAVORABLE THAN THOSE AVAILABLE TO OTHER USERS.

(11) THE UNITED STATES GOVERNMENT AND ITS CONTRACTORS MAY PURCHASE LOCALLY GOODS AND SERVICES REQUIRED FOR THE PURPOSE OF THIS AGREEMENT. SUBJECT TO UNITED STATES POLICIES OR REGULATIONS, PREFERENCE SHALL BE GIVEN TO THE PROCUREMENT OF GOODS IN TRINIDAD AND TOBAGO. NO EXCISE, CONSUMPTION OR OTHER DUTY SHALL BE LEVIED OR CHARGED ON ANY GOODS OR MATERIALS PURCHASED LOCALLY BY OR FOR THE USE OF THE UNITED STATES GOVERNMENT AND ITS CONTRACTORS FOR THE PURPOSE OF THIS AGREEMENT.

(12) THE FLAGS OF THE UNITED STATES AND TRINIDAD AND TOBAGO SHALL FLY SIDE BY SIDE OVER THE STATION.

(13) THE APPROPRIATE AUTHORITIES OF THE TWO GOVERNMENTS MAY MAKE ADDITIONAL, SUPPLEMENTAL ARRANGEMENTS FOR THE EFFECTIVE IMPLEMENTATION OF THIS AGREEMENT AS MAY BE NECESSARY. THE APPROPRIATE AUTHORITIES FOR THE PURPOSE OF THIS AGREEMENT SHALL BE, FOR THE UNITED STATES GOVERNMENT, THE UNITED STATES COAST GUARD, AND FOR THE GOVERNMENT OF TRINIDAD AND TOBAGO, THE-----.

THE EMBASSY PROPOSES THAT, IF THE FOREGOING PROVISIONS ARE ACCEPTABLE TO THE GOVERNMENT OF TRINIDAD AND TOBAGO, THIS NOTE AND THE MINISTRY'S REPLY TO THAT EFFECT SHALL CONSTITUTE AN AGREEMENT BETWEEN THE TWO GOVERNMENTS WHICH SHALL ENTER INTO FORCE ON ----- AND CONTINUE IN FORCE UNTIL DECEMBER 31, 1980, OR UNTIL SUCH TIME AS THE STATION
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HAS BECOME DISESTABLISHED IN ACCORDANCE WITH PARAGRAPH (5) HEREIN.

COMPLIMENTARY CLOSING. (END TEXT)

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